

# JOHN A. KAISER

ATTORNEY AT LAW

November 6, 2009

Social Security Subcommittee  
United States House of Representatives

Dear Social Security Subcommittee:

I understand you are holding a hearing on November 19 regarding the disability program and its backlogs. I would like to give you an idea of the severe personal toll the backlog is taking on disabled workers in Western Wisconsin.

Over the past 33 years, I have represented thousands of Social Security applicants. The wait for decisions and payments at all stages of the process have seemed to get longer and longer.

Here are three examples of how these delays are affecting the lives of disabled workers, all of whom had long and productive work lives and have always "played by the rules".

A middle-aged Eau Claire area woman became disabled, when her knees deteriorated to the point where she needed knee replacements. Her knee conditions have led to back problems causing chronic pain for which she has to take highly potent narcotic drugs. After waiting nearly three years for her hearing, the judge granted her benefits after ten minutes. While waiting for her hearing, her family lost its home to foreclosure and had to file for bankruptcy. After the hearing, I asked if they would have lost their home or had to file bankruptcy if she had been getting her Social Security check all along. Tearfully, she replied, absolutely not. (To add insult to injury, I just received a telephone message from her a few days ago. Even though this client's fully favorable decision was dated August 31, 2009, she has still not received either her first check or her back pay. She called the Social Security District Office last week, and was told it could take 90 days for the Payment Center to get her into pay status and to issue her payment for past due benefits.)

Three days ago, a client of mine from Humbird, Wisconsin received his fully favorable decision almost exactly three years after filing his Social Security application. Unfortunately he was served one day later with a Summons and Complaint to foreclose his home. (His monthly payment had been increased from \$327 per month to over \$900 per month, because the mortgage lender had to pay his property taxes last year.) He is now hoping to negotiate a redemption, but it is unclear whether the mortgage holder will do so, or whether he will have to file for bankruptcy. We are hoping that the Social Security payment center will not delay payment of his case, so he will have his

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back pay to use in his attempts to work something out with the mortgage holder. (See the following case.)

Yesterday, the husband of a client from Chippewa Falls came to my office to ask if there is anything I can do to move along payment of his wife's benefits. His wife had filed her application in July, 2006. Nearly three years later, she received a fully favorable hearing decision, dated June 19, 2009. Now, nearly five months after the Judge found her disabled, she has still not received either a monthly benefit payment or her back pay. My client and our staff have placed calls to the District Office, and have been told that the hold-up is at the payment center, and all the local office can do is try to prod the payment center staff on.

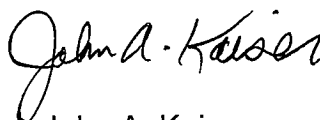
Ladies and gentlemen, these are not isolated examples. I could write a book about how these cases are hurting real people, who have done nothing but work hard and pay their FICA and self-employment taxes, and then one injury or one illness turns their family's life upside down. It would be a collection of tragedies.

As the baby boom generation ages, and considering the raises in the retirement age, simple demographics should predict that more people will be applying for the disability benefits for which they have paid. The demands on the system will increase, and it is important that we provide the Social Security Administration the resources with which to efficiently handle these demands.

When I discuss the backlog with my clients, I repeatedly hear something I want to relay to you: Almost every client asks how trillions can be spent to bail out Wall Street, yet the Social Security Administration is not given enough resources to handle its load in a timely fashion. I have no answer to that question.

Thank you for your consideration of this severe problem.

Respectfully submitted,

A handwritten signature in black ink that reads "John A. Kaiser". The signature is written in a cursive, flowing style.

John A. Kaiser